



A RESOLUTION BY FINANCE/EXECUTIVE COMMITTEE

01- R -1686

A RESOLUTION REAFFIRMING THE AUTHORIZATION AND INTENT OF THE CITY TO SETTLE A LAWSUIT BETWEEN THE CITY OF ATLANTA AND AMERICAN COMPUTER TECHNOLOGY, INC.; TO ESTABLISH A TIME FRAME WITHIN WHICH THE CERTIFICATION OF AVAILABLE FUNDS AND PAYMENT SHALL BE MADE; AND FOR OTHER PURPOSES.

WHEREAS, pursuant to Resolution Number 01-R-1473, the City Council authorized the settlement of a lawsuit filed by American Computer Technology ("ACT"), American Computer Technology v. City of Atlanta, Civil Action File No. 2001CV35168, alleging among other things, that the City breached its contracts with ACT and, alternatively, sought recovery on the basis of quantum meruit against the City for the reasonable value of services rendered; and

WHEREAS, American Computer Technology, Inc. expressed its willingness to accept a full, complete and final settlement of all claims under both Contracts against the City which have been brought, or which could have been brought, for the total sum of Two Million Nine Hundred Thousand (\$2,900,000.00) Dollars.

NOW, THEREFORE, THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA HEREBY RESOLVES AS FOLLOWS:

Section 1: The Council hereby reaffirms the authorization and intent of Resolution Number 01-R-1473, authorizing payment in the amount of Two Million Nine Hundred Thousand (\$2,900,000.00) Dollars so as to conclude the full, final and complete settlement of all claims which have been brought or which could have been brought against the City and its officers, agents, and employees by American Computer Technology, Inc., pursuant to the terms outlined in Resolution Number 01-R-1473.

Section 2: The Chief Financial Officer has indicated that certification of the availability of funds is expected to be made within 90 days of October 5, 2001 so that American Computer Technology, Inc. can be paid; provided, however, that such certification and payment shall be made no later than February 15, 2002.

A true copy,

Rhonda Dauphin Johnson
Municipal Clerk, CMC

ADOPTED by the Council
RETURNED WITHOUT SIGNATURE OF THE MAYOR
APPROVED as per City Charter Section 2-403

OCT 15, 2001

OCT 24, 2001

RCS# 3182
10/15/01
3:11 PM

Atlanta City Council

Regular Session

01-R-1686 Settle lawsuit with American Computer
Technology, Inc. & City of Atlanta
ADOPT

YEAS: 8
NAYS: 4
ABSTENTIONS: 0
NOT VOTING: 4
EXCUSED: 0
ABSENT 0

Y McCarty	Y Dorsey	NV Moore	N Thomas
Y Starnes	N Woolard	Y Martin	Y Emmons
NV Bond	N Morris	NV Maddox	Y Alexander
Y Winslow	Y Muller	N Boazman	NV Pitts

01-2-1686

(Do Not Write Above This Line)

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**ADOPTED BY
OCT 15 2001**

COUNCIL

- ☐ CONSENT REFER
- ☐ REGULAR REPORT REFER
- ☐ ADVERTISE & REFER
- ☐ 1st ADOPT 2nd READ & REFER
- ☐ PERSONAL PAPER REFER

Date Referred

Referred To:

Date Referred

Referred To:

Date Referred

Referred To:

First Reading

Committee _____
Date _____
Chair _____
Referred to _____

Committee
FINANCE/EXECUTIVE

Date
10/10/01

Chair
[Signature]

Action:
Fav, Adv, Hold (see rev. side)
Other: *NA*

Members
[Signature]
[Signature]
Chair Miller

Refer To

Committee

Date

Chair

Action:
Fav, Adv, Hold (see rev. side)
Other:

Members

Refer To

Committee

Date

Chair

Action:
Fav, Adv, Hold (see rev. side)
Other:

Members

Refer To

Committee

Date

Chair

Action:
Fav, Adv, Hold (see rev. side)
Other:

Members

Refer To

FINAL COUNCIL ACTION

- ☐ 2nd ☐ 1st & 2nd ☐ 3rd
- ☐ Consent ☐ V Vote ☒ RC Vote

CERTIFIED

CERTIFIED
OCT 15 2001

ATLANTA CITY COUNCIL PRESIDENT

[Signature]

CERTIFIED
OCT 15 2001

DEPUTY MUNICIPAL CLERK

[Signature]

MAYOR'S ACTION

APPROVED

OCT 24 2001

WITHOUT SIGNATURE
BY OPERATION OF LAW